

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

IN RE:)
)
WILLIAM LOYD CALAHAN and) Bk. No. 12-01993-KML1-7
SHERRY JUSTENE CALAHAN,)
)
Debtor(s).)

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: March 26, 2013
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: April 16, 2013
at 9:00 a.m., Courtroom 2, Second Floor Customs House, 701 Broadway, Nashville, Tennessee, 37203.

NOTICE OF MOTION OF TRUSTEE TO SELL REAL PROPERTY

EVA M. LEMEH, Trustee, has asked the court for the following relief: Permission of Court to sell the debtors' half interest in real property located at 5747 Old Natchez Trace, Primm Springs TN 38476.

YOUR RIGHTS MAY BE AFFECTED. If you do not want the Court to grant the attached motion, or if you want the Court to consider your views on the motion, then on or before **March 26, 2013**, you or your attorney must:

1. File with the Court your written response or objection explaining your position at:

Electronically: <https://ecf.tnmb.uscourts.gov> (Required for registered Filers & Users who have accepted electronic notice in this case)

By Mail: US Bankruptcy Court, 701 Broadway, Room 160, Nashville, TN 37203

In Person: US Bankruptcy Court, 701 Broadway, 1st Floor, Nashville, TN
(Monday – Friday, 8:00 a.m. – 4:00 p.m.)

2. **Your response must state the deadline for filing responses is March 26, 2013, the date of the scheduled hearing is April 16, 2013, and the motion to which you are responding is Motion of Trustee to Sell Real Property.** If you want a file stamped copy returned, you must include an extra copy and a self-addressed, stamped envelope.

3. You must also mail a copy of your response to:

EVA M. LEMEH

TRUSTEE IN BANKRUPTCY

4300 Kings Lane

Nashville TN 37218

U.S. Trustee

701 Broadway, Suite 318

Nashville, TN 37203

If a timely response is filed, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by calling the Clerk's office at (615) 736-5584 or viewing the cases on the Court's website at www.tnmb.uscourts.gov. If you received this notice by mail, you may have three additional days in which to file a timely response under Rule 9006(f) of the Federal Rules of Bankruptcy Procedure. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief. If you do not object, Movant will submit the attached proposed order as the order to be signed and entered in this case.

This 5th day of March, 2013.

By: /s/ EVA M. LEMEH

EVA M. LEMEH #012153

TRUSTEE IN BANKRUPTCY

4300 Kings Lane

Nashville TN 37218

(615) 876-4862; (615) 691-7382 (fax)

elemehtrustee@comcast.net

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

IN RE:)	
)	
WILLIAM LOYD CALAHAN and)	Bk. No. 12-01993-KML1-7
SHERRY JUSTENE CALAHAN,)	
)	
Debtor(s).)	

MOTION OF THE TRUSTEE TO SELL REAL PROPERTY

Unless an objection and application for hearing is filed with the United States Bankruptcy Court Clerk, First Floor, Customs House, 701 Broadway, Nashville, Tennessee 37203; and a copy served on the United States Trustee Office, 318 Customs House, 701 Broadway, Nashville, Tennessee 37203; and upon the Trustee within 21 days after the date of this notice, the Trustee shall sell the following property of the estate at a private sale:

DESCRIPTION OF PROPERTY: Debtors' half interest in real property located at 5747 Old Natchez Trace, Primm Springs TN 38476.

DATE & TIME: Upon Court Approval.

TYPE OF SALE: Private Sale to the co-owner of the property and brother of the co-debtor, Jeffrey Tommy Potts, who is an insider because he is a co-owner.

TERMS OF SALE: \$15,000.00 Cash

PROPERTY IS TO BE SOLD AS IS, WHERE IS, AND FREE AND CLEAR OF ANY LIENS. ANY VALID AND PROPER LIEN WILL ATTACH TO THE PROCEEDS OF THE SALE. TRUSTEE WILL CONVEY BY VALID BANKRUPTCY TRUSTEE'S DEED, OR APPROPRIATE INSTRUMENT, RIGHT, TITLE, AND INTEREST THAT TRUSTEE HAS THE RIGHT TO CONVEY. PROCEEDS OF THE SALE WILL BE SUBJECT TO TRUSTEE FEES AND EXPENSES, REALTOR/AGENT FEES AND PROPERTY TAXES, IF ANY. TRUSTEE PROPOSES TO PAY EXEMPTIONS AND LIENHOLDERS AS FOLLOWS:

Lienholders:	None.
Debtor(s) Statutory Exemption:	None.
Auctioneer/Realtor commission:	None.

Trustee has reviewed the court file. There are no filed claims for perfected tax liens on this property.

Dated this 5th Day of March, 2013

/s/ EVA M. LEMEH
EVA M. LEMEH
BPR #012153
TRUSTEE IN BANKRUPTCY
4300 Kings Lane
Nashville TN 37218
(615) 876-4862; (615) 691-7382 (fax)
elemehtrustee@comcast.net

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

IN RE:

WILLIAM LOYD CALAHAN and
SHERRY JUSTENE CALAHAN,

Debtor(s).

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Bk. No. 12-01993-KML1-7

ORDER TO SELL REAL PROPERTY

Upon consideration of the notice and motion of EVA M. LEMEH, Trustee, for authority to sell property for the benefit of the estate in the above-styled matter, twenty-one (21) days notice having been given pursuant to L.R. 9013-1 of this Court, and no objections having been filed;

And it appearing to the Court that the sale of property will be beneficial to the bankruptcy estate;

It is hereby **ORDERED** that EVA M. LEMEH, Trustee, is authorized to sell the Debtors' half interest in real property located at 5747 Old Natchez Trace, Primm Springs TN 38476 to Jeffrey Tommy Potts.

APPROVED FOR ENTRY:

/s/ EVA M. LEMEH

EVA M. LEMEH

BPR #012153

TRUSTEE IN BANKRUPTCY

4300 Kings Lane

Nashville TN 37218

(615) 876-4862; (615) 691-7382 (fax)

elemehtrustee@comcast.net

Proposed Order

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

IN RE:)
)
 WILLIAM LOYD CALAHAN and) Bk. No. 12-01993-KML1-7
 SHERRY JUSTENE CALAHAN,)
)
 Debtor(s).)

CERTIFICATE OF SERVICE

I hereby certify that on the date noted below, a true and correct copy of the foregoing listed below was sent electronically to the U.S. Trustee and mailed postage prepaid to debtor(s), debtor(s) attorney, to all creditors, and all parties requesting notice, as reflected on the mailing matrix attached to the original of this pleading on file with the clerk of this Court.

This 5th day of March, 2013.

By: /s/EVA M. LEMEH
EVA M. LEMEH
BPR # 012153
TRUSTEE IN BANKRUPTCY
4300 Kings Lane
Nashville TN 37218
(615) 876-4862; (615) 691-7382 (fax)
elemehtrustee@comcast.net

Attachments:

- (1) Notice of Motion of Trustee to sell Real Property**
- (2) Motion of the Trustee to sell Real Property**
- (3) Proposed Order to sell Real Property**

Label Matrix for local noticing
0650-1
Case 1:12-bk-01993
MIDDLE DISTRICT OF TENNESSEE
Columbia
Tue Mar 5 09:37:47 CST 2013

ALLY FINANCIAL
PO BOX 380901
MINNEAPOLIS, MN 55438-0901

Capital One Bank (USA), N.A.
PO Box 248839
Oklahoma City, OK 73124-8839

HERITAGE SOUTH COMMUNITY CREDIT UNION
PO BOX 2093
LEWISBURG, TN 37091-1093

PRUDENTIAL RETIREMENT
30 SCRANTON OFFICE PARK
SCRANTON, PA 18507-1796

EVA MARIE LEMEH
4300 KINGS LANE
NASHVILLE, TN 37218-1009

William Loyd Calahan
2445 Old Farmington Rd.
Lewisburg, TN 37091-2243

Recovery Management Systems Corporation
25 S.E. 2nd Avenue
Suite 1120
Miami, FL 33131-1605

AMSOUTH BANK
700 N. GARDEN STREET
COLUMBIA, TN 38401-3224

GE Capital Retail Bank
c/o Recovery Management Systems Corp
25 SE 2nd Ave Suite 1120
Miami FL 33131-1605

JEFFREY TOMMY POTTS
5747 OLD NATCHEZ TRACE
PRIMM SPRINGS, TN 38476-5000

US BANK
P.O. BOX 5227
CINCINNATI, OH 45202-5227

J. ROBERT HARLAN
J. ROBERT HARLAN & ASSOC.
PO BOX 949
COLUMBIA, TN 38402-0949

701 Broadway Room 170
Nashville, TN 37203-3944

Ally Financial
c/o Ally Servicing LLC
P.O. Box 130424
Roseville, MN 55113-0004

GEMB/ LOWES
PO BOX 981400
C811
EL PASO, TX 79998-1400

Midland Funding LLC
By its authorized agent Recoser, LLC
25 SE 2nd Ave, Suite 1120
Miami, FL 33131-1605

US TRUSTEE
OFFICE OF THE UNITED STATES TRUSTEE
701 BROADWAY STE 318
NASHVILLE, TN 37203-3966

Sherry Justene Calahan
2445 Old Farmington Rd.
Lewisburg, TN 37091-2243

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)BASS, BERRY & SIMS PLC

(d)Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

End of Label Matrix	
Mailable recipients	18
Bypassed recipients	2
Total	20